UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/47/544
19 October 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 97 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Request to the United Nations to observe the referendum process in Eritrea

Report of the Secretary-General

1. The present report is submitted further to my letter to the President of the General Assembly, of 11 June 1992, informing him of a number of developments with regard to the United Nations involvement in a referendum process in Eritrea. In the course of the 30-year war, the Eritreans had made repeated requests that an internationally observed referendum be held in Eritrea to determine the wishes of the Eritrean people regarding their political status. It will be recalled that the Referendum Commissioner of Eritrea had, on 12 May 1992, invited the Secretary-General to send a delegation of the United Nations to observe and to verify the freeness, fairness and impartiality of the entire referendum process, from its beginning in July 1992 to its completion in April 1993.

2. The Conference on Peace and Democracy, which assembled all the political parties and relevant social actors in Ethiopia, met at Addis Ababa from 1 to 5 July 1991 and formally recognized the right of the Eritrean people to determine its political future by the internationally supervised referendum. As indicated in my letter of 11 June 1992, I informed the President of the General Assembly that, in view of the need for further information on which the General Assembly may base its decision and the limited time remaining before the referendum process starts in July 1992, I was dispatching a technical team to gather information for the preparation of a report to be submitted to the General Assembly on the details of a potential involvement by the United Nations in the Eritrean referendum.

3. In this connection a technical team headed by the Director of the Electoral Assistance Unit of the Department of Political Affairs and comprising a senior political officer from the Unit and an officer from the Field Operations Division visited Eritrea for the following purposes:

(a) To discuss with the Eritrean authorities the terms of reference of a possible observation mission to verify the freeness, fairness and impartiality of the entire referendum process, as requested by the Referendum Commissioner of Eritrea;

(b) To obtain information on the proposed organization of the referendum process and on geographical and communication aspects that would be necessary to prepare an operational plan for possible United Nations verification of the referendum process;

(c) To obtain information that would be necessary for the preparation of the cost estimates of the possible observation mission;

(d) On the basis of the previous items, to prepare a report to be submitted to the General Assembly.

4. The technical team, in accordance with its mandate, examined the situation in Eritrea through in-depth discussions with the Referendum Commission, members of the provisional Government of Eritrea and representatives of a wide spectrum of political, social and religious organizations. The team also visited the region of Seraye and the cities of Keren and Massawa, contacting there the local authorities.

5. The technical team was provided with a set of the legal instruments drawn up to regulate the conduct of the referendum and had ample occasion to discuss the matter with the Referendum Commission in long and productive working sessions. The members of the team, on the basis of their experience in other contexts, and of comments received from the Centre for Human Rights of the United Nations Secretariat, made a number of technical suggestions aiming at improving some operational aspects of the organization of the referendum or clarifying articles that might be susceptible of misinterpretation. The reaction of the Commission was positive in all cases. On the day of departure of the team, the Referendum Commission issued a press release, clarifying questions related to the participation of organizations and individuals in the campaign period that were raised by the mission.

6. During all their meetings with members of the provisional Government and with representatives of political, social and religious organizations, the mission detected a uniform and strong support for the presence of an observation mission and a desire to have a free and fair referendum process. The team provided the Referendum Commission with detailed information on the characteristics and procedures of a United Nations observation mission, including standard agreements related to the status of the mission as well as its terms of reference. As in the previous case, complete agreement was reached.

7. Given the fact that the referendum to be held in Eritrea and the notion of the international supervision thereof have been supported by the Addis Ababa agreements of July 1991, I conceive of it not only as an important step towards the establishment of democracy but also as an integral part of the consolidation of peace. I am furthermore firmly convinced that this step can contribute decisively to the stability of the region. It is for these reasons, and taking into consideration the historical involvement of the United Nations with Eritrea, that I have decided to recommend the establishment of a United Nations Observer Mission to Verify the Referendum in Eritrea (UNOVER). The terms of reference of such mission would, subject to the approval of the General Assembly, be as follows:

(a) To verify the impartiality of the referendum authorities and organs, including the Referendum Commission, in all aspects and stages of the referendum process;

(b) To verify that there exists complete freedom of organization, movement, assembly and expression without hindrance or intimidation;

(c) To verify that there is equal access to media facilities and that there is fairness in the allocation of both the timing and length of broadcasts;

(d) To verify that the referendum rolls are properly drawn up and that qualified voters are not denied identification and registration cards or the right to vote;

(e) To report to the referendum authorities on complaints, irregularities and interferences reported or observed and, if necessary, to request the referendum authorities to take action to resolve and rectify such complaints, irregularities or interference;

(f) To observe all activities related to the registration of voters, the organization of the poll, the referendum campaign, the poll itself and the counting, computation and announcement of the results.

8. In carrying out the above mandate, the Observer Mission will be expected to gather factual information about the conduct of the referendum and, in particular, the decision of the electorate; to recognize that the ultimate judgement about the referendum process will be made by the electorate themselves and that its role will be to take note of the decision of the electorate as they determine their fate in a referendum; to recognize the independent character of the Referendum Commission and establish a relationship with it on that basis; and, in its capacity as observer, to make constructive contributions to ensure the success of the referendum at every stage of the process.

9. Subject to the approval of the General Assembly, the structure of UNOVER could be the following:

(a) Office of the Chief of the Mission (Asmara): a small unit could provide overall political direction to the verification mission. It could maintain contacts with the provisional Government and the Referendum Commission and could deal with political and electoral matters that might arise from the performance of the verification functions;

(b) Regional offices at Asmara, Keren and Mendefera: each regional office could be headed by a regional coordinator, who could be assisted by two electoral officers, and could be in charge of the verification activities in its jurisdiction;

(c) Mobile teams located at Asmara and Keren: there could be two teams of two persons each located in these cities to make periodic visits to areas that fall outside the jurisdiction of the regional offices, so as to cover the totality of the country.

10. Given the peaceful situation in Eritrea, the organization of the referendum effort already carried out by the Referendum Commission, and the lack of evidence of political tensions or conflictual positions in relation to the Referendum, it is considered that a total of 21 international staff, supported by local personnel, would be a sufficient number to fulfil adequately the verification functions.

11. If approved by the General Assembly, the UNOVER referendum observers, during all three phases, would monitor and evaluate the operations and impartiality of the referendum authorities at all levels. UNOVER would similarly evaluate the fairness of all significant decisions of the referendum authorities and would investigate disputed actions taken by them. The regional teams would have regular contact with community leaders and social organizations, and would visit municipalities and villages throughout the country; they would monitor registration by making random visits to registration centres; they would observe rallies and other referendum-related activities; and they would verify compliance by all parties with the referendum proclamation and with the code of conduct. The mechanisms through which broadcasting time would be allotted to those registered for its use and the content of information broadcasts would also be observed. A mechanism would be created to receive complaints by individuals or organizations participating in the referendum process, analyse their relevance and transmit them to the referendum authorities for appropriate action.

12. Three main phases of the referendum process are foreseen: the registration of voters (possibly starting during the second week of September); the referendum campaign and the poll itself, which is scheduled to take place in April 1993.

13. During the polling itself, 60 observation teams of two persons each, that is, a total of 120 persons, would be fielded. These teams would have full access to monitor all stages of the poll. The 120 personnel would consist of the approximately 21 staff mentioned in paragraph 10 above; about 50 additional observers to be selected from the United Nations Development

Programme and other United Nations agency personnel at Asmara and in neighbouring countries, plus volunteers from the international personnel of selected non-governmental organizations operating in Eritrea; and 50 additional observers from abroad, contributed by the Secretariat and Member States.

14. Given the nature of the tasks for which UNOVER would be responsible, it would be essential to equip it with a small but reliable communication system to enhance its effectiveness and the security of its functions and personnel. Adequate transport resources would also be required to give it the mobility essential for its effective operation. The need to cover remote areas with the mobile teams makes it essential to include in the budget an amount for air operations. The provisional cost estimates are given in the annex to the present report. The total estimated cost of UNOVER for an eight-month period will be less than US$ 3 million.

15. In view of the imminent start of the registration process, should the General Assembly authorize the establishment of UNOVER, I intend to appoint a Special Representative to take charge of the exercise and to assign two officers to Asmara to undertake the initial stages of the process and provide such support to the Eritrean Referendum Commission as might be required. Once a decision is reached on the matter and the financial implications are approved, my objective is that the full deployment of the mission will be completed during October 1992.

16. In conclusion, I strongly recommend that the General Assembly give its approval for the establishment of UNOVER, on the basis of the considerations addressed above.

ANNEX

Provisional cost estimates of the United Nations Observer Mission to Verify the Referendum in Eritrea

A. Summary

(United States dollars)

Personnel costs	1 456 600
Vehicle operations	249 800
Air operations	48 100
Premises	76 100
Purchase of equipment	147 600
Miscellaneous supplies and services	72 100
Compensation	400 000
Freight and transportation	29 000
Communications	366 200
Subtotal	2 845 500
Contingency allowance of 5 per cent of subtotal cost estimate for unforeseen items and price increases (funds not to be expended without prior approval of the Director of the Field Operations Division)	(142 275)
Total	2 987 775

(2 988 000 in round figures)

B. Details

1. Personnel costs

Staff members

1. The proposed staffing table for the mission allows for a total of 21 international staff members, as follows: one Special Representative of the Secretary-General (at Assistant Secretary-General level), from 1 September to 30 April; two at P-5 level (Chief Electoral Officer and Chief Administrative Officer), from 1 September to 31 May; one at P-4 level (Finance/Personnel/Procurement Officer); one at P-3/P-4 level (Political Affairs Officer); two Field Service Officers, one being a senior experienced member for the coordination of air movements, transport, accommodation, stores etc. and the other being a radio technician/assistant coordination officer, from 1 October to 31 May; three at P-4/P-5 as coordinators for each of the regional offices and 10 at P-2/P-4 level as observers, from 1 November to 30 April; and one at P-3 level (Assistant Political Affairs Officer), from 1 May to 30 April. Allowance is also made for 20 observers seconded from the Secretariat (10 from New York and 10 from Europe) for a period of 10 days only.

(a) Salaries. One Special Representative of the Secretary-General for eight months, two x P-5 for nine months, two x P-4 for eight months, two Field Service Officers for eight months, three x P-4/P-5 and 10 x P-2/P-4 for six months, and one x P-3 for two months: $610,000 (estimate);

(b) Subsistence allowance. 3,900 man-days for 19 staff, comprising 80 man-days for the Special Representative of the Secretary-General (eight visits each of 10 days) and 200 man-days for the 20 observers; the total number of man-days is 4,180, at $101 per person per day (current rate of mission subsistence allowance): $422,180;

(c) Travel costs. Estimates are based on return airfares from New York, with an allowance for each member to carry 10 kg excess air baggage and to send 100 kg of personal effects by air freight: $3,900 per member for airfares plus $500 per person for air freight; the 20 observers for 10 days are costed at $3,900 from New York and $1,900 from Europe: $150,400;

(d) Official travel. The estimate is based on the Special Representative of the Secretary-General visiting the mission once every month, from New York (one visit is already included in subparagraph (c) above); allowance is also made (airfares and subsistence allowance) for two visits (say four days in the country) by two officers from the Electoral Assistance Unit: 11 x $3,900 = $46,200.

Member State observers

2. Allowance is made for 30 observers from Member States, for whom costs are limited to travel to and from the mission and subsistence allowance for 10 days while in the area. The cost estimates are based on 20 observers

coming from Europe and 10 from North America; for budget purposes, it is assumed that the United Nations is responsible for travel costs:

(a) Travel costs. (20 x $1,900) + (10 x $3,900) = $77,000;

(b) Subsistence allowance. For a total of 300 man-days at $101 per person per day: $30,300.

Other international observers

3. Allowance is made for 50 observers recruited from the international personnel of UNDP and selected non-governmental organizations located in Eritrea and neighbouring countries, and for 20 of these observers to travel from Addis Ababa; costs for subsistence allowance are estimated for five days only:

(a) Travel from Ethiopia. Twenty air tickets from Addis Ababa to Asmara and return: $24,000;

(b) Subsistence allowance. For a total of 250 man-days at $101 per person per day: $25,300.

Local employees

4. The proposed staffing table for the mission allows for a total of 123 local employees, comprising two secretaries/interpreters and two drivers from 1 September to 31 May (nine months); one secretary/interpreter and two drivers from 1 October to 31 May (eight months); five interpreters and five drivers from 1 November to 30 April (six months); and 53 interpreters and 53 drivers (these figures include an allowance for three reserve drivers and interpreters) for an estimated period of five days:

Salaries. Monthly salaries, in birr, are based on advice from the World Food Programme (WFP) representative in Asmara and are: secretary, 900; interpreter, 500; driver, 900, plus an extra 20 birr per day when away from Asmara. Total cost estimates, excluding estimates for time away from Asmara, are as follows:

Secretaries/interpreters: (2 x 9 x 900) + (1 x 8 x 900) = 23,400 birr

Interpreters: (5 x 6 x 500) + (53 x 500 x 5/30) = 19,500 birr

Drivers: (2 x 9 x 900) + (2 x 8 x 900) + (5 x 6 x 900) + (53 x 900 x 5/30) = 65,600 birr

The total cost is 108,500 birr. At the current official exchange rate (US$ 1 = approximately 2 birr), the total cost is $54,300, or $60,000 including allowance for time away from Asmara and hire of cleaners etc.

Consultancy service

5. Allowance is made for the services of a consultant, for about three weeks, to assist with the counting aspects of the referendum. The cost estimate is based on salary, travel and per diem: $11,121, approximately.

2. Operating costs

Vehicle operations

6. The proposed vehicle requirement is as follows: two four-wheel-drive vehicles from 1 September to 31 May; two from 1 October to 31 May; five from 1 November to 30 April; and 53 for a period of five days in April. The requirement for two vehicles in early September will probably be met by hiring vehicles in Asmara; in the early stages sedans will be adequate, possibly even taxis. However, a total of nine 4x4s need to be purchased by 1 November, five for the five observer teams and the other four to be used by the Headquarters/support staff. The latter four vehicles will also provide a reserve holding for the observer teams, if required. The 53 4x4s required for the five-day period are to be hired locally, and the total also allows for a reserve of three vehicles. However, if this number is not available for hire, as is expected, the extra observers and interpreters for the actual referendum period can be transported as far as possible in hired mini-buses, and then ferried forward by the 4x4s available at the time; this is not considered to be a very satisfactory alternative.

(a) Purchase of vehicles. These vehicles will be available for reallocation to any future missions in this region; nine 4x4 vehicles at $19,000 each, plus $1,000 per vehicle for freight from Jeddah: $180,000;

(b) Vehicle hire

(i) Assuming the purchased vehicles can be delivered by 1 November, the cost estimate for hiring two sedans for the months of September and October is: (100 birr per day) x 60 days x 2 cars = 12,000 birr or $6,000;

(ii) Assuming 53 4x4s are available for hire at a rate of 150 birr per day, and over a three-day period each vehicle averages 400 kilometres at 1.50 birr per kilometre, the estimated cost is (53 x 150 x 3) + (53 x 400 x 1.50) = 55,650 birr or $27,900;

(c) Petrol, oil and lubricants. The estimated cost for about 78 vehicle months (purchased and hired vehicles) is: 78 x (eight refills per month) x (60 litres per refill) x 0.75 birr per litre = 28,080 birr or $14,000;

(d) Vehicle repairs and maintenance. Twenty-four maintenance staff are currently employed by WFP. These mechanics are servicing vehicles for other United Nations agencies in Asmara at a rate of $10 per hour or $15 per hour for overtime. The estimated cost for 3.5 hours of service per month, by WFP mechanics, for nine vehicles for eight months is $2,500;

(e) Vehicle insurance. Six vehicle years at $380 per vehicle is $2,300 (it is assumed that the hired vehicles have insurance cover included in the hire cost; consequently separate allowance is not made);

(f) Spare parts. As there are few spare parts available in the country, provision is made for fast-moving items (e.g., all types of filters, brake parts etc.) to be purchased and shipped at the same time as the nine 4x4s. The estimate is 10 per cent of the vehicle purchase price: 9 x 10 per cent x $19,000 = $17,100.

Air operations

7. Allowance is made for chartering a light fixed-wing aircraft, once a month, at a rate of $3,700 per month. The estimate is based on a recent charter by WFP for a flight from Asmara to Assab and Djibouti, and return. The aircraft was a Twin Otter from Eritrean Airways. Allowance is also made for chartering an aircraft on four separate occasions for medical evacuations. The total cost estimate is $3,700 x 13 = $48,100.

Premises

8. It is considered that there is adequate living accommodation (either hotels or private residences) for all personnel in receipt of mission subsistence allowance. No commitment was made by the provisional Government to provide accommodation free of charge to the mission. Therefore, allowance is made for renting office accommodation in Asmara (mission headquarters and Asmara regional centre) and for three teams in outlying regional centres, as a back-up. The estimated requirement in Asmara is 130 square metres (Special Representative of the Secretary-General, 20; two x P-5, 15 each; two x P-4, one Field Service Officer and three secretaries, 10 each; Asmara regional centre, two x P-3, 10 each). The estimated requirement in the outer areas is 20 m^2 per region. The total requirement for office space is 190 m^2. As there may be a requirement for a small stores building, allowance is made for the rental and minor repairs of an existing building within the WFP compound.

(a) Rental. The estimated cost is $6,000 per month for eight months for mission headquarters, $1,200 per month for seven months for the stores building and $1,200 per month for six months for the three regional centres: $63,600;

(b) Maintenance. Allowance is made for cleaning supplies and services as well as any necessary minor repairs (e.g., plumbing, electrical): $2,500 at five different locations, total $12,500.

Purchase of equipment

9. The equipment requirements are as follows:

(a) Data-processing equipment. Two desktop computers ($1,500 each), seven laptop computers ($3,100 each), six bubble-jet portable printers ($550 each), three desk jet printers ($500 each, one as a reserve) and various

software and other accessories ($11,000); the five regional teams each require a laptop computer for report writing, leaving one laptop and two desktops for headquarters and one laptop as a reserve: total $40,500;

(b) Office equipment. Two electronic typewriters ($1,400); one medium-sized photocopier ($2,300); and one over-head projector ($400): total $4,100;

(c) Generators. As most provincial capitals have limited hours in which electricity is supplied (e.g., 1,800 hours to 2,400 hours) allowance is made for a total of five small, portable generators (e.g., Honda gasoline generators at $900 each), one for each of the three regional teams and two for headquarters. The two for headquarters will also provide the reserve for the field. Cost estimate for five generators, cables and spare parts: $6,500;

(d) Office furniture. Allowance is made for a small quantity of desks, chairs, filing cabinets etc. to be purchased locally if not provided by the local authorities: $13,000;

(e) Miscellaneous equipment

(i) Basic camping equipment for the five teams operating from 1 November to 30 April for areas in which accommodation may not be available (tents, stoves, camp cots, sheets/blankets, cooking utensils, jerry cans etc.): $11,500;

(ii) Allowance for camping equipment for 50 per cent of the teams during the referendum, who may be in areas where accommodation is not available: 25 x $2,200 = $55,000;

(iii) Miscellaneous other equipment, including small kerosene refrigerators: $17,000.

Miscellaneous supplies and services

10. Requirements for miscellaneous supplies and services are as follows:

(a) Stationery and office supplies: $7,000;

(b) Medical supplies and first-aid kits for vehicles: $1,800;

(c) Medical services: $7,000;

(d) Operational maps: $4,000 (it is understood that both Czechoslovakia and the Russian Federation were producing maps of Eritrea);

(e) Sanitation and cleaning supplies: $3,500;

(f) Purchase of water supplies: currently water is only available to each residence once a week. Allowance is made for water for toilets in rented office accommodation at the rate of 1,000 litres per day at a cost of one birr per 200 litres; the requirement for an eight-month period is 240,000 litres, $1,000, approximately;

(g) Minor water purification units: $25,000;

(h) Official hospitality: $2,500;

(i) General stores, including United Nations flags and decals, production of identification cards, vehicle number plates, fire extinguishers, compasses, loud hailers, batteries, flashlights and miscellaneous supplies: $17,000;

(j) Subscriptions to newspapers and periodicals: $1,300;

(k) Payment of electricity bills for rented premises; allowance is made for $100 per month for eight months for mission headquarters and $100 per month for three months for each of the three regional centres: $2,000, approximately.

Compensation claims

11. Contingency funds for the settlement of possible claims for death, injuries and disabilities in respect of personnel other than staff members: $400,000.

Freight and transportation

12. Allowance is made for the freight costs of supplies and equipment to be shipped to the mission, and any clearing charges to be paid, when the items are received in Eritrea. Estimated cost: $29,000.

Communications equipment and supplies

13. There is considered to be little requirement for reporting by radio throughout the duration of the mission. Moreover, the internal security situation throughout the country has been very calm for the past 12 months and it is not expected to change in the lead-up to the referendum. However, because isolated areas are to be visited, some form of radio communication is considered necessary for safety purposes only. Discussions with officials of the Telecommunications Authority of Eritrea indicated a requirement for high frequency (HF) radios. In the past month the telephone system, in some areas, has been resurrected and calls can now supposedly be made to all provincial capitals (Massawa direct, Keren through the operator) and overseas. However, there are few lines and consequently, many delays.

(a) External communications. Allowance is made for user charges for the WFP INMARSAT terminal. The estimate is based on a nine-month period, usage of

one hour per day, at a cost of $10 per minute. The total estimate is 9 x 30 x 60 x 10 = $162,000;

(b) Internal communications equipment to be purchased

(i) Nine HF radios ($9,500 each), together with all the equipment needed to have them mounted in vehicles ($1,000 per vehicle): 9 x $10,500 = $94,500;

(ii) One HF base radio for use in a static role inside an office: $9,500

(HF radios may be available from existing missions in either Angola or Kuwait, or possibly from the United Nations Supply Depot at Pisa);

(c) Communications supplies. Spare parts, hardware, batteries, battery chargers, commercial repairs (if beyond the capabilities of the radio technician); the estimate is 7.5 per cent of the equipment cost: $78,000;

(d) Miscellaneous items. Allowance is made for contractual assistance for the installation and dismantling of the radio equipment (radio technicians will install an HF radio in one day for 200 birr); the estimate provides for nine radios and a base station: $3,000;

(e) Commercial communications. The estimates under this heading include:

(i) Telephone rental and call charges: $7,500;

(ii) Pouch services to and from New York: $7,200;

(iii) Commercial telex charges: $4,500.